

Please type a plus sign (+) inside this box → **+**

PTO/SB/21 (08-00)

Approval for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/769,952

Filing Date Jan 25, 2001

First Named Inventor Donoho, Gregory

Group Art Unit 1651

Examiner Name Not Yet Assigned

Total Number of Pages in This Submission 8

Attorney Docket Number LEX-0118-USA

RECEIVED

NOV 26 2002

TECH CENTER 1600/2900

## ENCLOSURES (check all that apply)

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Assignment Papers (for an Application)                         | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Amendment / Reply                                   | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):            |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Terminal Disclaimer  | - Return Postcard  |
| <input checked="" type="checkbox"/> Information Disclosure Statement         | <input type="checkbox"/> Request for Refund   | - PTO1449 and copies of 57 references cited in (2) binders                                 |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <input type="checkbox"/> CD, Number of CD(s) _____                                      | - International Search Report (as ref CE)  |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application    | Remarks   |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |  |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name Lexicon Genetics Incorporated  
Lance K. Ishimoto Reg. No. 41,866

Signature *Lance K. Ishimoto by David W. Hubler* DAVID W. HUBLER REG. NO. 41,071

Date November 20, 2002



24231

PATENT TRADEMARK OFFICE

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Arlington, VA 22202 on this date: November 20, 2002

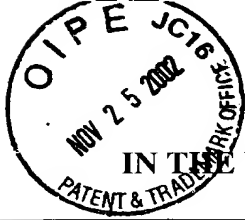
Typed or printed name Michelle Klein

Signature

*Michelle Klein*

Date

November 20, 2002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Donoho et al.

Application No.: 09/769,952

Filed: January 25, 2001

Group Art Unit: 1651

Title: Novel Human Enzymes and  
Polynucleotides Encoding the Same

Examiner: Not Yet Assigned

Attorney Docket No.: LEX-0118-USA

Assistant Commissioner for Patents  
Arlington, VA 22202  
Box DD

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:
- ☐ Certification under 37 CFR 1.97(e), or
  - ☐ a \$240.00 fee under 37 CFR 1.17(p), or
- (After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:
- ☐ Certification under 37 CFR 1.97(e), and
  - ☐ a petition under 37 CFR 1.97(d)(2)(ii), and
  - ☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i)(1).
- (Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.



24231

PATENT TRADEMARK OFFICE

RECEIVED  
NOV 26 2002  
TECH CENTER 1600/2900

The relevance of some of the attached references is that under 37 CFR § 1.97 (e)(1) each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application corresponding to the above-identified application not more than three (3) months prior to the filing of this Information Disclosure Statement.

Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement to Lexicon Genetics Deposit Account No. 50-0892. A copy of this sheet is enclosed.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

November 20, 2002  
Date

*Lance K. Ishimoto* *David W. Hibel* *Pat. No. 41,071*  
Lance K. Ishimoto Reg. No. 41,866

LEXICON GENETICS INCORPORATED  
8800 Technology Forest Place  
The Woodlands, TX 77381  
(281) 863-3333



24231

PATENT TRADEMARK OFFICE